

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard F. Labaudiniere, Yibin Xiang, Ravi K. Jalluri and
Anthony C. Arvanites

Application No.: 10/568,252 Group Art Unit: Not Assigned

International Filing Date: August 11, 2004 Examiner: Not Assigned

Confirmation No.: Not Assigned

Title: ANTIBIOTIC CYCLOALKYL TETRAHYDROQUINOLINE
DERIVATIVES

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
09/18/2006 Date	<i>Donna Boudreau</i> Signature
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Supplemental Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:
☐ a Statement under 37 CFR 1.97(e), as checked below, or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:
☐ a Statement under 37 CFR 1.97(e), as checked below, and
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application file.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references B1 - B5 and C19 - C24 are enclosed.
 - ☐ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
 - ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☒ The "concise explanation" requirement (non-English references) for reference(s) B2 and B3 under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☒ the enclosed English language abstracts from Derwent WPI database: Accession NO. 2001-596671 for reference B2 and Accession No. 2001-281951 for reference B3.

- ☐ Applicant requests that the following non-published pending applications be considered:
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

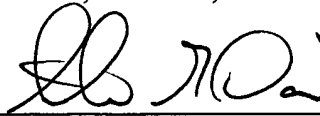
It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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By 

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Dated:

September 15 2006

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
2709.2017-008APPLICATION NO.
10/568,252SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT
IN AN APPLICATION

September 15, 2006

FIRST NAMED INVENTOR
Richard F. LabaudiniereINT'L. FILING DATE
August 11, 2004

EXAMINER

CONFIRMATION NO.

GROUP

SEP 21 2006

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	A2	US 2003/0087926 A1	05-08-2003	Gerlach, <i>et al.</i>
	A3	6,699,877 B2	03-02-2004	Gerlach, <i>et al.</i>

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	B1	WO 98/34111	August 6, 1998	Trega Biosciences, Inc.		
	B2	WO 01/58875 A2	August 16, 2001	Grünenthal GMBH		X
	B3	WO 01/27086 A1	April 19, 2001	Kaken Pharmaceutical Co., Ltd.		X
	B4	EP 1 221 439 A1	July 10, 2002	Kaken Pharmaceutical Co., Ltd.		
	B5	WO 98/27427	June 25, 1998	Eli Lilly and Company		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

C19	Anniyappan, Marimuthu, <i>et al.</i> , "Urea Nitrate Catalyzed Imino Diels-Alder Reactions: Synthesis of Cyclopentaquinolines, Pyranoquinolines, and Furoquinoline Derivatives," <i>Synthetic Communications</i> , 32(1):99-103 (2002).
C20	Bertilsson, Sophie K., <i>et al.</i> , "The aza-Diels-Adler reaction protocol--a useful approach to chiral, sterically constrained α -amino acid derivatives," <i>Tetrahedron</i> , 57:6399-6406 (2001).
C21	Kiselyov, Alexander S., <i>et al.</i> , "Immobilized Aldehydes and Olefins in the Solid Support Synthesis of Tetrahydroquinolines via a Three Component Condensation," <i>Tetrahedron</i> , 54:7987-7996 (1998).
C22	Kiselyov, Alexander S., <i>et al.</i> , "Solid Support Synthesis of Tetrahydroquinolines via the Grieco Three Component Condensation," <i>Tetrahedron Letters</i> , 38(35):6163-6166 (1997).
C23	Kobayashi, Shū, <i>et al.</i> , "A New Methodology for Combinatorial Synthesis. Preparation of Diverse Quinoline Derivatives Using A Novel Polymer-Supported Scandium Catalyst," <i>J. Am. Chem. Soc.</i> , 118:8977-8978 (1996).
C24	Jinpeng, Li, Compound Data Sheet, Batch *ID: GTC-P01B-0601, February 16, 2003, 2 pages.

EXAMINER

DATE CONSIDERED

BEST AVAILABLE COPY